

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

SHAWANNA NELSON

PLAINTIFF

VS

CASE NO. 1:04CV00037 JMM

**CORRECTIONAL MEDICAL SERVICES, INC.,
ET AL**

DEFENDANT

**OBJECTIONS TO PROPOSED FINDINGS AND
RECOMMENDED PARTIAL DISPOSITION**

Plaintiff, Shawanna Nelson, respectfully offers the following points in the form of

Objections:

1. The evidence presented by Dr. Cynthia Frazier creates an issue of fact as to whether CMS' procedure related to childbirth establishes deliberate indifference. The jury should be allowed to make this finding.
2. Dr. Frazier's testimony should be allowed on Plaintiff's remaining claims, even if CMS' summary judgment motion is granted. Dr. Frazier's Affidavit contain opinions that will assist the jury in its determination whether the shackling constituted cruel and unusual punishment. The jury may not understand the dangers of the shackling without Dr. Frazier's testimony. F.R.E. 702; F.R.E. 703.
3. Max Mobley should remain in the lawsuit for his role in the ratification of CMS' policy (see No. 1 above).

Respectfully submitted,

/s/ Cathleen Compton
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served on the following this 5th day of June, 2007.

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